



CERTIFICATE OF MAILING

I hereby certify that this INFORMATION DISCLOSURE STATEMENT is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on this 15th day of March, 2005.

Typed or Printed name of person signing this certificate:

Wendy A. Frick

Signed: _____

Wendy A. Frick

Customer Number

24024

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Kaumaya, et al.

Serial No.: 09/632,036

Filed: August 3, 2000

For: **POLYPEPTIDES AND
POLYNUCLEOTIDES FOR
ENHANCING IMMUNE REACTIVITY
TO HER-2 PROTEIN**

) Examiner: Rawlings, Stephen L.

) Art Unit: 1642

) Attorney Docket No.: 18525/04011

) 03/18/2005 BABRAHA1 00000035 09632036

) 01 FC:1806

180.00 OP

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This information disclosure statement is being filed after the mailing of a first Office Action on the merits. Applicants wish to disclose the following information:

REFERENCES

- ☒ The Applicants wish to make of record the references listed on the attached Form PTO-1449. copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- ☒ Listed on the attached PTO form 1449 is information known to persons substantively involved in the preparation of the application identified above, and is not a representation that more pertinent information does not exist.
- ☒ The identification of any information herein is not intended to be, and should not be understood as being, an admission that such information, in fact, constitutes "prior art"

within the meaning of applicable law. The "prior art" status of any information is a matter to be resolved during prosecution.

CERTIFICATION

- ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this statement.
- ☐ This information disclosure statement is being filed within three months of the filing of the within application and/or prior to a first Office Action on the merits being allowed.

PETITION

- ☒ Applicants hereby request consideration of the attached information.

DEPOSIT ACCOUNT

- ☒ A check is attached in the amount of \$ 180.00 required under 37 § 1.17(p).
- ☐ It is not believed that any fee is required relating to the filing of this information disclosure statement. If this is not the case, the patent office is hereby authorized to charge any related fee to **Deposit Account No. 03-0172**.

Respectfully submitted,

Date: Mar. 15, 2005

By: Kristin J. Frost
Kristin J. Frost, Reg. No. 50,627
(216) 622-8895

Subst. Form PTO-1449 APPLICANT'S INFORMATION DISCLOSURE STATEMENT	Atty. Docket No.: 18525/04011	Serial No.: 09/632,036
	Applicant: Kaumaya, et al.	
	Filing Date: August 3, 2000	Group: 1642

U.S. PATENT DOCUMENTS

Initial*		Document No.	Date	Name	Class	Subcl.	Filing Date
	AA	5,876,712	March 2, 1999	Cheever, et al.			Jun. 6, 1995
	AB						

FOREIGN PATENT DOCUMENTS

		Document No.	Date	Country	Class	Subcl.	Translation?
	AC	94/07531	April 14, 1994	WO			
	AD	97/38011	October 16, 1997	WO			

OTHER PRIOR ART

	AE	Supplementary European Search Report dated August 10, 2004.
	AF	"Peptide Vaccines Incorporating a "Promiscuous" T-cell Epitope bypass Certain Haplotype Restricted Immune Responses and Provide Broad Spectrum Immunogenicity" by Kaumaya, et al., <u>Journal of Molecular Recognition</u> , Vol. 6, 81-94 (1993).
	AG	"Human T-Lymphotropic Virus Type 1 Peptides in Chimeric and Multivalent Constructs with Promiscuous T-Cell Epitopes Enhance Immunogenicity and Overcome Genetic Restriction" by Lairmore, et al., <u>Journal of Virology</u> , Oct. 1995, vol. 69, No. 10, p. 6077-6089.
	AH	"Subunit Peptide Cancer Vaccines Targeting Activating Mutations of the p21 <i>RAS</i> Proto-Oncogene" by Trioza, et al., <u>Biomedical Peptides, Proteins and Nucleic Acids</u> , Vol. 1, 185-192 (1995).
	AI	"Granulocyte-Macrophage Colony Stimulating Factor: An effective Adjuvant for Protein and Peptide-Based Vaccines" by Disis, et al., <u>Blood</u> , Vol. 88, No. 1, July 1, 1996, p. 202-210.
	AJ	"Identification of HER2/neu-Derived Peptide Epitopes Recognized by Gastric Cancer-Specific Cytotoxic T Lymphocytes" by Kono, et al., <u>Int. J. Cancer</u> , 78, 202-208 (1998).
	AK	"Identification of HLA-A3-restricted Cytotoxic T Lymphocyte Epitopes from Carcinoembryonic Antigen and HER-2/neu by Primary <i>in Vitro</i> Immunization with Peptide-pulsed Dendritic Cells" by Kawashima, et al., <u>Cancer Research</u> , 59, 431-435, January 15, 1999.
	AL	"Immunization to Oncogenic HER-2/neu Protein with Peptide Based Vaccines" by Disis, et al., Proceedings of the Annual Meeting of the American Association for Cancer Research, New York, New York, Vol. 36, March 1995, p. 251.
	AM	"T-Cell, Adhesion, and B-Cell Epitopes of the Cell Surface <i>Streptococcus mutans</i> Protein Antigen I/II" by Kelly, et al., <u>Infection and Immunity</u> , Vol. 63, No. 9, Sept. 1995, p 3649-3658.
	AN	"Antigenicity and immunogenicity of multiple antigen peptides (MAP) containing <i>P. vivax</i> CS epitopes in <i>Aotus</i> monkeys" by Herrera, et al., <u>Parasite Immunology</u> , 1997: 19: 161-170.
	AO	"A novel human HER2-derived peptide homologous to the mouse K ^d -restricted tumor rejection antigen can induce HLA-A24-restricted cytotoxic T lymphocytes in ovarian cancer patients and healthy individuals" by Okugawa, et al., <u>Eur. J. Immunol</u> , 2000, 30:3338-3346.
	AP	"A Chimeric Multi-Human Epidermal Growth Factor Receptor-2 B Cell Epitope Peptide Vaccine Mediates Superior Antitumor Responses" by Dakappagari, et al., <u>The Journal of Immunology</u> , April 15, 2003, Vol. 170, No. 8, p. 4242-4253.
	AQ	"Enhanced immunogenicity of a conformational epitope of human T-lymphotropic virus type 1 using a novel chimeric peptide" by Frangione-Beebe, et al., <u>Vaccine</u> , 19 (2001) 1068-1081.

Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformation with MPEP 609; draw line through citation if in conformance and not considered. Include copy of this form with next communication to applicant.